

- (1) பக்கங்களின் எண்ணிக்கை 12
 (2) புதுக்கித் திருப்பிய நாள் Sept. 88
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் [Signature]

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Revenue. துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	<u>122.</u>	அச்சகம் பலவகை
நாள் :	<u>18.1.1879</u>	<u>198.</u>

[Signature]

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

18th January 1879, No. 122.

Read the following paper :—

No. 311. Endorsement of the Chief Secretary to Government, dated 1st December 1877, No. 2,234.

Read the following letter from L. C. PROBYN, Esq., Accountant-General, Madras, to the Hon. D. F. CARMICHAEL, Chief Secretary to Government, dated Fort St. George, 15th November 1877, No. 955.

With reference to Proceedings of Government, No. 3,232, dated 10th November 1877, Revenue Department, and in continuation of this office letter No. 885, dated the 31st ultimo, I have the honor to request that His Grace the Governor in Council may be moved to ask the Government of India to lay down some definite rules regarding the payment of Barristers-at-Law, other than the Government Pleader, for conducting Civil Suits on behalf of Government.

I have also to inquire in respect to the sanction of Rs. 1,000 to Mr. Prichard, in the Salem case, whether any deduction should be made in the fee, if Barrister's fees were allowed by the Court, as it appears that the judgment was in favor of Government.

TRANSFERRED to the Revenue Department.

(Signed) D. F. CARMICHAEL,
Chief Secretary to Government.

No. 312. ORDER THEREON, 18th January 1879, No. 122.

Miscellaneous.

It is observed that the Accountant-General's letter, No. 885, dated 31st October 1877, was disposed of by G.O., Judicial, No. 2,855, of 4th December following. The question on that reference was the amount of the Government Pleader's fees, when that officer is directed to proceed to any station in the Mofussil, on behalf of the Crown in cases Civil or Criminal.

2. In the prosecution of such cases three courses are open to the Government:—

First, and this is always done in cases of the ordinary kind, to employ one of the local Pleaders; whose fee in criminal cases varies from a minimum of 25 to a maximum of 50 Rs., enhanceable only with the express sanction of Government; while in civil cases his remuneration consists of the fees awarded, except that when these are insignificant in comparison with the labor and skill displayed, a suitable addition is made by special order of Government.

Secondly.—They may send up the Government Pleader, with a fee of Rs. 175 a day, besides travelling expenses.

2
122

2

REVENUE DEPARTMENT, 15th JANUARY 1879, No. 122.

Thirdly.—Where the matter is beyond the skill of a District Pleader but not sufficiently important to demand that the expensive course of sending up the Government Pleader should be adopted, a local Barrister may be selected by the Collector with the approval of Government. No definite rule can be laid down for remuneration in such exceptional cases. The fee however is of course much under the cost of employing the Government Pleader; *et. gr.* Mr. Pritchard here received 1,000 Rs.; the Government Pleader's fee would have been 1,400 Rs. plus his travelling to the Shevaroy Hills and back, plus the fees awarded by the Court, the retention of which is a privilege attached to his office; whereas, as the case stood, they were recovered for Government, Mr. Pritchard receiving the single honorarium only.

(True Extract.)

(Signed) H. S. THOMAS,
Acting Secretary to Government.

To the Accountant-General.
„ the Judicial Department.

Ed. W. H. French.

Auditor DEPARTMENT.

3/12

No. 955

Fort Saint George,
Accountant General's Office,
15th November 1877

FROM THE ACCOUNTANT GENERAL
TO THE GOVERNMENT OF MADRAS,

TO THE *Chief Secretary to Government*

SIR,

With reference to Proceedings of Govern-
ment No. 3732 dated 10th November 1877 Revenue
Department and in continuation of this office letter
No. 336 dated the 31st ultimo I have the honor to
request that His Grace the Governor in Council may
be moved to ask the Government of India to lay
down some definite rules regarding the payment
of Barristers at Law, other than the Government
Attorney, for conducting Civil suits on behalf of
Government.

I have also to enquire in respect to the
sanction of Rs. 1000 to Mr. Trichard in the above
case, whether any deduction should be made in the
fee if Barristers' fees were allowed by the Court
as it appears that the judgment was in favor of
Government.

I have the honor to be

Sir

Your obedient servant

Le Roy
Accountant General

Comp. Secy

Original

Cost of 1877

REVENUE.

REVENUE

5. Recd. 25/11

A/122

18th of 18th August 79
No. 2157 DEPARTMENT,
ACCTY. GENL. OFFICE MADRAS.

From (No. 965)
Hon. Secy
THE ACCOUNTANT GENERAL, MADRAS,
To Mr. Chief Secretary
Government

Dated 15th November 1879
Recd. 15th No. of answer.
Ans'd.

Subject.

Regarding the 11th of June
the Government are requested to
be advised to make the funds
amount of Rs. 1000 to pay them
to the Government of Madras
the Government of Madras
to have for the Government
the Government of Madras
to have for the Government
the Government of Madras

Transferred to the Revenue Office
13. Nov 311

Transferred

5/12/77 Recd Dept

Proceedings of the Madras Government.
Under date the

No 122

Say as follows

It is observed that the Act
Gent's letter No 885- dt 31st Oct 77
has been disposed of by G.O. dated
No 2855 of 22 Dec 77 following.
The question on that reference was
the amount of the Govt Pleader's fees,
where that officer is directed to proceed
to any station in the Imperial, or
label of the Govt in cases civil or
Criminal.

2/ In the prosecution of such cases
two courses are open to the Govt.
First, and this is always done in cases
of the ordinary kind, to employ one of
the local Pleaders; whose fee in criminal
cases varies from a minimum of 25
to a maximum of 50 Rs., and in civil
only with the exception of Govt;
while in civil cases his remuneration
consists of the fees awarded, except that
when there are insignificant inform-
ation with the Govt to be displayed,
a suitable addition is made by special
order of Govt.
Secondly - They may send up the Govt Pleader
into a fee of Rs 175 a day, besides travelling
expenses.

Thirdly - where the matter is beyond the skill
of a district Pleader but not sufficiently
important to demand that he expending
consequence of sending up the Govt Pleader & the
adoption, a local Pleader may be selected by
the Govt with the approval of Govt. - No definite
rule can be laid down for remuneration in
such exceptional cases. The fee however is
permanently under low cost of employment.

Read the following
Endorsement of the Chief
Secy to Government dated 1st
Dec 77 transferring letter from
the Accountant General request-
ing to ask the Govt of India
to lay down some definite
rules for the payment of Plea-
ders at law for conducting
civil suits in favor of Govt.

His Grace the Governor
in Council is unable to see
how any rules can be laid
down suitable to all cases.

& the Govt Pleader - 22 p.m. - 10th Dec 77
here received 1000 Rs; the Govt Pleader's fee
10th Dec 77 1400 Rs plus his travelling
expenses & hotel, plus the fees awarded by
the Govt, the return of which is a privilege.

224

10 Nov 77 No 108-109. Pms of 18th Aug 79
Revenue 1877 2nd part
No 5016

From
Chief Secretary

Dated 15th Dec 77
Recd 3rd Dec 77
No 2234

Q.No. 122. 15 Jan 77.
Transferring letter
from Accountant General
requesting that His Grace
the Governor in Council
may be moved to ask the
Govt of India to lay down
some definite rules for the
payment of Pleaders at
law for conducting civil
suits in favor of Government.

B No 311

C 28 Nov 77 R. 10 Dec 77

It has already been decided
in the Judicial Department * G.P. 11, December 1777/1235.
that a reference on the sub-
ject is unnecessary.

2. In regard to para-
2 of the Accountant General's
letter it has been decided
in the Financial Department *
that lawyers may keep the
fess charged in the judgment.
They are very small sections
25 and 26 Regulation DN. of
1816/.

W

attached to his office; whereas,
as the case stands, they were reserved
for the, and receiving the single
summons only.

25. 13/11
18 January 1879

By order of the Secretary of the
Judicial Department
to the Judicial Department

Secretary

96
Please pay to order
of the Treasurer
of the State of New York
the sum of \$100.00

Recd Recpt
Pross of 18th Jan'y/77
B No 3/2

S. 2111
O. M.
To the Treasurer.

Please state amount of
costs awarded app: Pelff
in O. S. No 8 of '76 in file
of 8-1-1: Fred C. C. - with
Pays Recd of Dec 5-11-77
No 4925; and in letter they
have been received & carried
to credit of Govt.

10 Dec 1877
F. H. C. 2/1/77
F. H. C. 2/1/77